

1           **BEFORE THE ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS**

2  
3   In the Matter of

4   **GARY EHLERS, P.A.**

5   Holder of License No. 1402  
6   For the Performance of Health Care Tasks  
   In the State of Arizona.

Case No. PA-09-0091A

**ORDER FOR SURRENDER  
AND CONSENT TO THE SAME**

7           Gary Ehlers, P.A. ("Respondent") elects to permanently waive any right to a hearing  
8   and appeal with respect to this Order for Surrender; admits the jurisdiction of the Arizona  
9   Regulatory Board of Physician Assistants ("Board"); and consents to the entry of this  
10   Order by the Board.

11                           **FINDINGS OF FACT**

12           1.   The Board is the duly constituted authority for the regulation and control of  
13   physician assistants in the State of Arizona.

14           2.   Respondent is the holder of license number 1402 for the performance of  
15   health care tasks in the State of Arizona.

16           3.   The Board initiated case number PA-09-0091A after receiving notification  
17   from the Board's Addiction Medicine Contractor (AMC) that Respondent reported that he  
18   had been arrested for forging prescriptions and was currently in treatment.

19           4.   On February 26<sup>th</sup>, 2004, a Consent Agreement for Decree of Censure,  
20   License Reactivation and Probation was executed. The Order required that Respondent  
21   participate in the Board's Monitored Aftercare Program for a period of five years.  
22   Respondent successfully completed MAP and the Order was terminated on February 26,  
23   2009.

24           5.   Respondent admits to the acts described above and that they constitute  
25   unprofessional conduct pursuant to A.R.S. §32-2501(21)(d) ("[h]abitual intemperance in

1 the use of alcohol or habitual substance abuse and A.R.S. §32-2501(21)(q) ("[u]sing  
2 controlled substances that have not been prescribed by a physician, physician assistant,  
3 dentist, or nurse practitioner for use during a prescribed course of treatment.).

4 **CONCLUSIONS OF LAW**

5 1. The Board possesses jurisdiction over the subject matter hereof and over  
6 physician assistant.

7 2. The Board possesses statutory authority to enter into a consent agreement  
8 with a physician assistant and accept the surrender of an active license from a physician  
9 assistant who admits to having committed an act of unprofessional conduct. A.R.S. § 32-  
10 2551(P)(2).

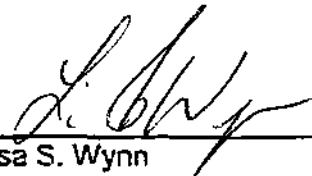
11 **ORDER**

12 IT IS HEREBY ORDERED THAT Respondent immediately surrender License  
13 Number 1402, Issued to Gary Ehlers, P.A. for the performance of healthcare tasks in the  
14 State of Arizona, and return his wallet card and certificate of licensure to the Board.

15 DATED AND EFFECTIVE this 24<sup>TH</sup> day of FEBRUARY, 2010.



ARIZONA REGULATORY BOARD OF  
PHYSICIAN ASSISTANTS

22 By   
Lisa S. Wynn  
Executive Director

23 **CONSENT TO ENTRY OF ORDER**

24 1. Respondent has read and understands this Consent Agreement and the  
25 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent  
acknowledges he has the right to consult with legal counsel regarding this matter.

1           2.     Respondent acknowledges and agrees that this Order is entered into freely  
2 and voluntarily and that no promise was made or coercion used to induce such entry.

3           3.     By consenting to this Order, Respondent voluntarily relinquishes any rights  
4 to a hearing or judicial review in state or federal court on the matters alleged, or to  
5 challenge this Order in its entirety as issued by the Board, and waives any other cause of  
6 action related thereto or arising from said Order.

7           4.     The Order is not effective until approved by the Board and signed by its  
8 Executive Director.

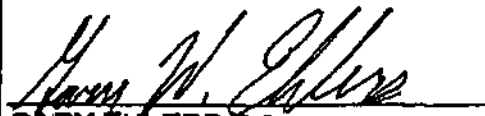
9           5.     All admissions made by Respondent are solely for final disposition of this  
10 matter and any subsequent related administrative proceedings or civil litigation involving  
11 the Board and Respondent. Therefore, said admissions by Respondent are not intended  
12 or made for any other use, such as in the context of another state or federal government  
13 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
14 any other state or federal court.

15          6.     Upon signing this agreement, and returning this document (or a copy  
16 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the  
17 entry of the Order. Respondent may not make any modifications to the document. Any  
18 modifications to this original document are ineffective and void unless mutually approved  
19 by the parties.

20          7.     This Order is a public record that will be publicly disseminated as a formal  
21 disciplinary action of the Board and will be reported to the National Practitioner's Data  
22 Bank and on the Board's web site as a disciplinary action.

23          8.     If any part of the Order is later declared void or otherwise unenforceable, the  
24 remainder of the Order in its entirety shall remain in force and effect.

1           9. Any violation of this Order constitutes unprofessional conduct and may result  
2 in disciplinary action. A.R.S. § 32-2501(21)(dd) ("violating a formal order, probation  
3 agreement or stipulation issued or entered into by the board or its executive director.") and  
4 A.R.S. § 32-2551.

5   
6 GARY EHLERS, P.A.  
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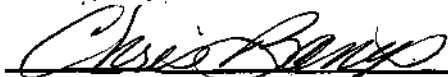
DATED: 12/29/09

8 EXECUTED COPY of the foregoing mailed  
9 this 27th day of February, 2009 to:

10 Gary Ehlers, P.A.  
11 Address of Record

12 ORIGINAL of the foregoing filed  
13 this 27th day of February, 2009 with:

14 Arizona Regulatory Board of Physician Assistants  
15 9545 E. Doubletree Ranch Road  
16 Scottsdale, AZ 85258

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18 Arizona Regulatory Board of  
19 Physician Assistants Staff  
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